consideration of the Government. In one case, the liability of the party under DPEA has been upheld but the quantum of payment has been reduced by recalculation.

Supressing of Liabilities of M/S Hoechst

1113. SHRI H. HANUMANTHAPPA:
SHRI GOVINDRAM MIRI:

Will the MINISTER OF CHEMICALS AND FERTILIZERS be pleased to state:

(a) whether fixation of responsibility in the case of members of the special team and Murthy Committee was ordered in 1990 for distorting records relating to production and other figures to supress liabilities in the case of M/s Hoechst and others;

(b) what action has been taken on those orders and where the matter stands at present;

(c) whether several vital papers have been removed from the file concerning Hoechst's case and if so, what steps have been taken to fix the responsibility of the members of the Drug Liabilities Review Committee and those who have been feeding this Committee; and

(d) what are the forces behind all this and what are the reasons that their activities have not been investigated?

THE MINISTER OF CHEMICALS AND FERTILIZERS (SHRI M. ARUNACHALAM): (a) and (c) No, Sir. There was no allegation of distortion of records relating to production and other figures to suppress liabilities in the case of M/s Hoechst & others against the members of the Special Team or Murthy Committee nor any vital papers have been removed from the concerned file.

(b) and (d) Question do not arise.

Drug Liabilities Review Committee

1114. SHRI H. HANUMANTHAPPA:
SHRI GOVINDRAM MIRI:

Will the Minister of CHEMICALS AND FERTILIZERS be pleased to state:

(a) whether DPCO, 1979 was promulgated with effect from 31st March, 1979 but resolution dated 21st March, 1994 constituting Drug Liabilities Review Committee specifies 1981 to 1987 as the period for determining liabilities;

(b) how and on what basis this period was mentioned and at whose instance and is to it not contrary to the undertakings and the Supreme Court Judgement;

(c) whether other terms of reference of the Committee are also contradictory and is a handiwork of a few bureaucrats who have minted crores of rupees by such actions; and

(d) what steps have been taken to investigate into the matter?

THE MINISTER OF CHEMICALS AND FERTILIZERS (SHRI M. ARUNACHALAM): (a) Yes, Sir.

(b) to (d) The Govt. has constituted the Drugs Prices Liabilities Review Committee (DPLRC) with a view to get the entire matter relating to DPEA recoveries reviewed by it. The terms & reference of the DPLRC as contained in the Resolution No. 23(2)/93-PI-I dt. 21-3-1994 are strictly in accordance with the orders of the then Prime Minister, who was also Minister incharge of the Deptt. at that time. The period 1981-87 as specified in the Resolution is the period during which representations/review applications against the Govt.'s price fixation orders were received from the drug companies and these companies did not implement the Govt.'s fixed prices and continued charging their own prices by virtue of court's stay. However, after the judgement of the Hon'ble Supreme Court (Union of India Vs. Cynamid India Ltd., AIR, 1987 SC 1802) upholding the right of the Govt. to fix the prices of